

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

DEBBY MENDEZ,

Plaintiff,

v.

**AMERICAN GENERAL LIFE INSURANCE
COMPANY,**

Defendant.

Civil Action Number: 2:09-1155

ORDER

HON. WILLIAM J. MARTINI

ORDER

For the reasons elaborated in the memorandum opinion filed contemporaneously with this Order,

IT IS on this 29th day of November, 2010;

ORDERED that Plaintiff's Motion for Summary Judgment is **DENIED**;

ORDERED that Defendant's Motion for Summary Judgment is **GRANTED** (the contract is declared void ab initio and rescinded), but summary judgment is **DENIED** in regard to Defendant's claim for damages for purported fraud; and,

ORDERED that Defendant is directed to pay (with interest) the estate of Jorge Mendez all premiums paid since the purported reinstatement.

This terminates this action.

s/ William J. Martini
William J. Martini, U.S.D.J.